



# Gila County Superior Court

## PUBLIC INTEREST CASES

**UPDATED: 07/31/2013**

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**DISCLAIMER:** The defendant named in each of the cases listed, is presumed innocent until and unless proven guilty; the information provided is intended for community information purposes only and should not be used to threaten, intimidate, or harass. Misuse of this information may result in criminal prosecution.

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### **Supreme Court Public Access**

The Public/media representatives may obtain general information about non-confidential statewide court cases by accessing the Supreme Court's Public Access to Court Information website at the following link:

<http://apps.supremecourt.az.gov/publicaccess/caselookup.aspx>

By using this website, the public/media representatives who are interested in finding out what cases have been filed for a specific individual can enter that person's name to find all cases in the system that are associated with that person. A specific case can also be viewed by entering the case number.

Once the case is selected, general information will appear, and includes the pleadings filed, hearings held, and status of the case. For more information about the case than the website displays, you may contact the office of the Clerk of Court.

### **Gila County Court Public Access**

If an agency of the media is interested in following the progress of a particular Gila County case or a public interest case, the media representative may identify that case to the office of the Court Administrator. Information about the case may still be obtained from the Public Access to Court Information website, as the direct link will save the media time when researching the case. This Court's website can be accessed by clicking on the following link:

<http://www.gilacountyaz.gov/government/courts/index.php>

## Superior Court Calendar Access

The Superior Court calendar is also available via the Internet at the following link:

[http://72.24.204.138:8080/gila\\_public/ev\\_srch.action](http://72.24.204.138:8080/gila_public/ev_srch.action)

Media representatives may look for information on a court calendar by selecting a calendar and the dates of interest. Information about the cases, times, and types of hearings set on those dates will be displayed.

The Gila County Superior Court Public Interest List is also available via the Internet at the following link:

<http://www.gilacountyaz.gov/government/courts/index.php>

For general questions regarding cases on the Public Interest Case List or any other case, please contact: Coleen Stevens, Public Information Officer, at: [cstevens@courts.az.gov](mailto:cstevens@courts.az.gov), or (928) 402-8674.

In the event that you want to view court records or obtain a copy of court documents, a request is first to be made to the Clerk of Court's office.

**Please Note:** Prior to releasing any documents, the Clerk's office will review files before releasing them to the public/media, in case the document contains confidential material. If the document contains such confidential information, the Clerk's office will redact this information before releasing it. If the document is confidential, the public/media are not permitted to view it, such as with a Pre-sentence report. **There is also a 50 cent charge per page.**

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## NOTE:

### Diversion/Deferred Program

It is the policy of the Gila County Attorney's Office to offer some first time felony offenders an opportunity to avoid having a felony conviction on their permanent criminal history if they successfully participate and complete the Diversion or Deferred Prosecution Program.

For a full explanation of this program, please visit the County Attorney's web page at the following link:

[http://www.gilacountyaz.gov/government/county\\_attorney/diversion\\_deferred\\_program.php](http://www.gilacountyaz.gov/government/county_attorney/diversion_deferred_program.php)

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## SECTION HEADINGS

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- **DIVERSION CASES**

- **RECENT DISPOSITIONS**

## PENDING CASES

### - CIVIL CASES -

<b>Plaintiff:</b>	<b>DEBORAH NICHOLS</b>	<b>Defendant:</b>	<b>MICHAEL LOWE, PEAK MEDICAL CARE, PLLC</b>
<b>Case #:</b>	<b>CV2013-032</b>		
<b>Attorney for Plaintiff:</b>	Neal H. Bookspan Laura A. Rogal Jaburg & Wilk, P.C.	<b>Attorney for Defendant:</b>	Pro Per
<b>Judge:</b>	Peter Cahill	<b>Superior Court:</b>	Division I
<b>Case Status:</b>	<b>AWAITING HEARING DATE</b>		
<b>Case Notes:</b>	Complainant alleges that the Defendant's actions breached his fiduciary and contractual duties and terms. Defendant is also said to have deliberately obstructed Plaintiff is seeking judgment be entered for compensatory damages and costs.		
<b>Complaint:</b>	Ct. 1 Breach of Fiduciary Duty – Dr. Michael Lowe Ct. 2 Intentional Interference With business Expectancy – Dr. Michael Lowe Ct. 3 Breach of Contract Ct. 4 Statutory Accounting Ct. 5 Issuance of a Temporary Restraining Order; Preliminary Injunction; Permanent Injunction		

# CASES SET FOR TRIAL

## - CRIMINAL CASES -

<b>Defendant:</b>	<b>Gasoa BALAS a.k.a. Joshua BALAS</b>	<b>Case #:</b>	<b>CR2012-382</b>
<b>Prosecutor:</b>	Gila County Attorney	<b>Defense:</b>	Michael Bernays
<b>Judge:</b>	Peter J. Cahill	<b>Superior Court:</b>	Division I
<b>Case Status:</b>	<b>August 5, 2013, @9:00</b>	<b>Status Conference</b>	<b>in GLOBE</b>
	<b>September 18, 2013, @ 9:00</b>	<b>Jury Trial</b>	<b>in GLOBE</b>
<b>Case Notes:</b>	Defendant is charged with causing the death of a minor. Other charges include assaulting a law enforcement officer, attempting to flee from a pursuing law enforcement vehicle, while driving without a license, and under the influence of alcohol and drugs.		
<b>Indictment:</b>	Ct. 1 - Second Degree Murder Ct. 2 - Child Abuse / Domestic Violence Ct. 3 - Aggravated Assault on Police Officer Ct. 4 - Unlawful Flight from Pursuing Law Enforcement Ct. 5 - Aggravated DUI Ct. 6 - Aggravated DUI w/License Suspended Ct. 7 - Aggravated DUI – Drugs w/License Suspended		

# CASES SET FOR TRIAL

## - CIVIL CASES -

<b>Plaintiff:</b>	<b>Dorothea HAWK</b>	<b>Defendant:</b>	<b>Rodney ANDERSON ANDERSON CHIROPATRIC CLINIC</b>
<b>Case #:</b>	<b>CV2009-346</b>		
<b>Attorney for Plaintiff:</b>	Lloyd & Robinson	<b>Attorney for Defendant:</b>	Sanders & Parks
<b>Judge:</b>	Peter Cahill	<b>Superior Court:</b>	Division I
<b>Case Status:</b>	<b>December 11, 2013</b>	<b>Trial Date</b>	<b>in PAYSON</b>
<b>Case Notes:</b>	The Defendant is accused of negligence in the care of Ken Hawk, which it is alleged, ultimately caused the death of Mr. Hawk. The Plaintiff is suing for damages.		
<b>Complaint:</b>	Ct. 1 - Wrongful Death		

# CASES SET FOR SENTENCING

<b>Defendant:</b>	<b>Brandon Lee LEWIS</b>	<b>Case #:</b>	<b>CR2012-336</b>
<b>Prosecutor:</b>	<b>Gila County Attorney's Office</b> Marc Stanley Joy Riddle	<b>Defense:</b>	Michael Harper Chuck Walker
<b>Judge:</b>	Peter J. Cahill	<b>Superior Court:</b>	Division I
<b>Case Notes:</b>	Defendant was charged with a number of counts of assaulting Peace Officers, acting in a manner to prevent his arrest, as well as causing damage to a police vehicle and police uniform.		
<b>Indictment:</b>	Ct. 1 - Aggravated Assault on Peace Officer      Class 4 Felony Ct. 2 - Aggravated Assault on Peace Officer      Class 5 Felony Ct. 3 - Aggravated Assault on Peace Officer      Class 5 Felony Ct. 4 - Resisting Arrest      Class 6 Felony Ct. 5 - Criminal Damage      Class 6 Felony Ct. 6 - Criminal Damage      Class 2 Misdemeanor		
<b>DISPOSITION:</b>	<b>JURY TRIAL - commenced on April 30, 2013</b>		
<b>VERDICT:</b>	Ct. 1 - Aggravated Assault on Peace Officer <b>JURY FOUND DEFENDANT – NOT GUILTY</b> Ct. 2 - Aggravated Assault on Peace Officer <b>JURY FOUND DEFENDANT – GUILTY</b> Ct. 3 - Aggravated Assault on Peace Officer <b>JURY FOUND DEFENDANT – GUILTY</b> Ct. 4 - Resisting Arrest <b>JURY FOUND DEFENDANT – GUILTY</b> Ct. 5 - Criminal Damage <b>JURY FOUND DEFENDANT – GUILTY</b> Ct. 6 - Criminal Damage <b>JURY FOUND DEFENDANT – GUILTY</b>		
<b>SENTENCING:</b>	<b>AUGUST 6, @ 11:00</b>	<b>SENTENCING</b>	<b>in PAYSON</b>

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## CASES SET FOR SENTENCING

<b>Defendant:</b>	David Eric MIKULAK	<b>Case #:</b>	CR2012-009
<b>Prosecutor:</b>	Gila County Attorney	<b>Defense:</b>	Jason Squires
<b>Judge:</b>	Peter J. Cahill	<b>Superior Court:</b>	Division I
<b>Case Status:</b>	August 5, 2013, @ 10:30	<b>Sentencing</b>	<b>in PAYSON</b>
<b>Case Notes:</b>	Defendant is charged with conspiring with the intent to sell a dangerous drug, as well as having items of drug paraphernalia.		
<b>Indictment:</b>	Ct. 1 - Conspiracy to Sell a Dangerous Drug Ct. 2 - Possession of Drug Paraphernalia		



## RECENT CASE DISPOSITIONS

<b>Defendant:</b>	<b>Richard Franklin THIELE, III</b>	<b>Case #:</b>	<b>CR2012-355</b>
<b>Prosecutor:</b>	<b>Gila County Attorney</b>	<b>Defense:</b>	Barry Standifird
<b>Judge:</b>	Peter J. Cahill	<b>Superior Court:</b>	Division I
<b>Case Notes:</b>	On or about May 31, 2012, Defendant was charged with trespassing in a residential property and causing a disturbance of the peace and engaging in a seriously disruptive manner.		
<b>Indictment:</b>	Ct. 1 - Criminal Trespass in the First Degree Ct. 2 - Disorderly Conduct	Class 6 Felony Class 1 Misdemeanor	
<b>DISPOSITION:</b>	<b>JURY TRIAL - commenced on May 29, 2013</b>		
<b>VERDICT:</b>	Ct. 1 - Criminal Trespass in the First Degree Ct. 2 - Disorderly Conduct	<b>JURY FOUND DEFENDANT – NOT GUILTY</b> <b>JURY FOUND DEFENDANT – GUILTY</b>	
<b>SENTENCING:</b>	<b>July 1, 2013, @ 10:30</b>	<b>in PAYSON</b>	
<b>CONVICTION:</b>	<b>CT. 2 - DISORDERLY CONDUCT</b> <b>CLASS 1 MISDEMEANOR</b> <ul style="list-style-type: none"><li><b>Sentenced to 60 days in the Gila County Jail, with credit for 128 days time served</b></li></ul>		

## RECENT CASE DISPOSITIONS

<b>Defendant:</b>	<b>David Martin HARDMAN</b>	<b>Case #:</b>	<b>CR2012-295</b>
<b>Prosecutor:</b>	<b>Gila County Attorney</b>	<b>Defense:</b>	Barry Standifird
<b>Judge:</b>	Peter J. Cahill	<b>Superior Court:</b>	Division I
<b>Case Notes:</b>	On or about January 13, 2012, Defendant was charged with driving under the influence while his license was suspended. It is alleged that the Defendant had an alcohol concentration of 0.15 or above, within two hours of driving.		
<b>Indictment:</b>	Ct. 1 - Aggravated DUI-w/license suspended Ct. 2 - Extreme Aggravated DUI – w/license suspended	Class 4 Felony Class 4 Felony	
<b>DISPOSITION:</b>	<b>JURY TRIAL - commenced on May 22, 2013</b>		
<b>VERDICT:</b>	Ct. 1 - Aggravated DUI-w/license suspended Ct. 2 - Extreme Aggravated DUI – w/license suspended	<b>JURY FOUND DEFENDANT – GUILTY</b> <b>JURY FOUND DEFENDANT – GUILTY</b>	
<b>SENTENCING:</b>	<b>June 17, 2013, @ 10:00</b> <b>in PAYSON</b>		
<b>CONVICTION:</b>	<b>CT. 1 - AGGRAVATED DUI-W/LICENSE SUSPENDED                      - CLASS 4 FELONY</b> <b>CT. 2 - EXTREME AGGRAVATED DUI – W/LICENSE SUSPENDED            - CLASS 4 FELONY</b> <ul style="list-style-type: none"> <li>Suspended Sentence – Department of Corrections four months, with credit for 1 day.</li> <li>Probation of 4 years</li> <li>All Fines, Fees and Surcharges</li> <li>Ignition Interlock System</li> </ul>		

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# RECENT CASE DISPOSITIONS

<b>Defendant:</b>	<b>Sharrod Lynn STONE</b>	<b>Case #:</b>	<b>CR2012-335</b>
<b>Prosecutor:</b>	Gila County Attorney	<b>Defense:</b>	David M. Roer
<b>Judge:</b>	Robert Duber, II	<b>Superior Court:</b>	Division II - Payson
<b>Case Notes:</b>	Defendant is charged with causing the death of a minor and adult, Jeff Johnston, while driving under the influence of alcohol, with several passengers in his vehicle. Other charges include aggravated assault and DUI with minors present.		
<b>Indictment:</b>	Ct. 1 - Manslaughter Ct. 2 - Manslaughter Ct. 3 - Aggravated Assault /Deadly Weapon/Dangerous Instrument Ct. 4 - Aggravated Assault /Deadly Weapon/Dangerous Instrument Ct. 5 - Aggravated Assault /Deadly Weapon/Dangerous Instrument Ct. 6 - Aggravated Assault /Deadly Weapon/Dangerous Instrument Ct. 7 - Aggravated Assault /Adult Upon Child Under 15 Ct. 8 - Aggravated Assault /Adult Upon Child Under 15 Ct. 9 - Endangerment – Imminent Death Ct. 10 - Aggravated DUI – Impaired with Child Present Ct. 11 - Endangerment – Imminent Death Ct. 12 - Unlawful Use of Means of Transportation – Took Control Ct. 13 - Aggravated DUI – Impaired with Child Present		
<b>DISPOSITION:</b>	PLEA		
<b>SENTENCING:</b>	June 13, 2013, @ 10:00		in PAYSON
<b>CONVICTION:</b>	CT. 1 – AMENDED - MANSLAUGHTER - CLASS 2 FELONY <ul style="list-style-type: none"><li>Sentenced to Department of Corrections for 4 years with credit for 39 days time served</li></ul> CT. 2 – AMENDED - MANSLAUGHTER - CLASS 2 FELONY <ul style="list-style-type: none"><li>Sentenced to Department of Corrections for 4 years with credit for 39 days time served</li><li>Term of incarceration to run concurrently with Count One.</li><li>Community Supervision</li><li>All Fees, Fines, Surcharges</li></ul> ORDERED granting State’s motion to dismiss Counts 3 – 13		